

### **REMARKS**

In the Office action, claims 38-39 were rejected as being indefinite; claims 31, 33 and 37-39 were rejected as anticipated by Vohringer '340; claims 34-36 were rejected under 35 U.S.C. §103 as being unpatentable over Vohringer in view of any one of six additional references.

The rejections of claims 38-39 are obviated by the cancellation of those claims herein.

The main reference applied in the Office action is the Vohringer patent. The Office action notes that the Vohringer device charges the powder to a negative polarity, but Applicants must respectfully disagree. Vohringer discloses the use of conventional positive tribocharging material. See for example the reference to PTFE in column 2 and particularly the comment in column 2, lines 65-68 wherein Vohringer states that negative charges get attached to the pipe and the positive charges travel with the powder--in other words, the powder is *positively* charged. The present claims, and particularly claim 31, recite negative tribocharging of the powder. Moreover, Vohringer uses the charging electrodes to increase the positive charge (col. 3, lines 1-2). Therefore, Vohringer cannot anticipate the pending claims.

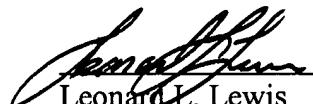
Vohringer also teaches a gun design that is significantly different from the claimed invention. In particular, Vohringer is an internal charging gun wherein the electrostatic field is kept within the gun to prevent a strong electric field being formed between the gun and the work piece. This is to make the gun more suited to coating Faraday cage areas. The present claims recite that the electrode is positioned in front of the spray nozzle, in distinct contrast to the Vohringer design. The other references noted in the Office action do not overcome these differences. Applicants respectfully traverse the rejections of the dependent claims on the basis that these claims add further patentable subject matter, but will defer detailed comment pending further examination of the independent claim 31. For example, claim 37 as amended recites a powder feed tube that charges the powder material to the negative polarity. Vohringer in particular teaches positive tribocharging materials.

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Page 5 of 5

It is respectfully submitted that the application is in proper condition for allowance and that the pending claims are patentable over the art of record.

Respectfully submitted,

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